POS-010 ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address) Anna Nguven, 226829 WACTOR & WICK, LLP 180 Grand Avenue Oakland, CA 946123771 TELEPHONE NO.: (510) 465-5750 ATTORNEY FOR (Name). Plaintiff SUPERIOR COURT OF CALIFORNIA, COUNTY OF United States District Court 450 Golden Gate Avenue San Francisco, CA 94102-3483 PLAINTIFF/PETITIONER: Virginia Pellegrini, Trustee and Virginia Pellegri CASE NUMBER: C 07 2497 BZ DEFENDANT/RESPONDENT: Technichem, Inc. Ref No or File No. PROOF OF SERVICE OF SUMMONS none

1. At the time of service I was a citizen of the United States, at least 18 years of age and not a party to this action.

2. I served copies of: Complaint for Environmental Cost Recovery and Contribution, Injunctive Relief, Declaratory Relief and Damages, Civil Cover Sheet, Summons in a Civil Case, Certification of Interested Entities or Persons; Order; Case Management Statement; Notice of Case Assignment

3. a. Party served: Mark J. Ng

- b. Person Served: David Ang Person in Charge of Office
- 4. Address where the party was served:

2349 Lincoln Avenue

Hayward, CA 94545

5. I served the party

b. by substituted service. On (date): May 14, 2007 in the presence of: David Ang

at (time): 12:15 pm. Heft the documents listed in item 2 with or

- a person at least 18 years of age apparently in charge at the office or usual place of business of the person to be served. I informed him or her of the general nature of the papers.
- (4) A declaration of mailing is attached.
- (5) I attach a declaration of diligence stating actions taken first to attempt personal service.
- 6. The "Notice to the Person Served" (on the summons) was completed as follows:
  - a. as an individual defendant.

7. Person who served papers Roderick Thompson

a. Name:

b. Address:

One Legal, Inc. - 132-Marin 504 Redwood Blvd #223

Novato, CA 94947

c. Telephone number: 415-491-0606

- d. The fee for service was: \$: 65.00
- e. 1 am:
  - (3) registered California process server.
    - (i) Employee or independent contractor.
    - (ii) Registration No. 746
    - (iii) County ALAMEDA

8. I declare under penalty of periury under the laws of the United States of America and the State of California that the foregoing is true and correct.

Date: May 16, 2007

Roderick Thompson INAME OF PERSON WHO SERVED PAPERS Koderick I hung (SIGNATURE)

Code of Civil Procedure, § 417-10

Form Adopted for Mandatory Use Judicial Council of California POS-010 [Rev July 1, 2004]

| ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address)                                  | TELEPHONE NO      | FOR COURT USE ONLY |
|--|-------------------|--------------------|
| Anna Nguyen, 226829  | (510) 465-5750    |                    |
| WACTOR & WICK, LLP   |                   |                    |
| 180 Grand Avenue   |                   |                    |
| Oakland, CA 946123771  | Ref No or File No |                    |
| ATTORNEY FOR (Name): Plaintiff   | none              |                    |
| Insert name of court, judicial district or branch court, if any.                       |                   |                    |
| United States District Court<br>450 Golden Gate Avenue<br>San Francisco, CA 94102-3483 |                   |                    |
| PLAINTIFF.   |                   |                    |
| Virginia Pellegrini, Trustee and Virginia Pellegri                                     |                   |                    |
| DEFENDANT.   |                   |                    |
| Technichem, Inc.   |                   |                    |
| DECLARATION OF   |                   | CASE NUMBER:       |
| DILIGENCE  |                   | C 07 2497 BZ       |

I received the within process on May 9, 2007 and that after due and diligent effort I have been unable to personally serve said party. The following itemization of the dates and times of attempts details the efforts required to effect personal service. Additional costs for diligence are recoverable under CCP §1033.5 (a)(4)(B).

PARTY SERVED: Mark J. Ng

(1) BUSINESS: Technichem, Inc. 2349 Lincoln Avenue, Hayward, CA 94545

## As enumerated below:

May 10, 2007 02:00 PM at address (1) above. Not available. May 11, 2007 11:10 AM at address (1) above. Not available. May 14, 2007 12:15 PM at address (1) above. Not available.

I declare under penalty of perjury under the laws of the United States of America and the State of California that the foregoing is true and correct and that this declaration was executed on May 16, 2007 at Oakland, California.

Registered California process server.

County: ALAMEDA Registration No.: 746 Expiration: July 14, 2008

Roderick Thompson One Legal, Inc. Roderick Thompson

Koderick Thompson

Case 3:07-cv-02497-CRB Document 4

Filed 05/18/2007 Page 3 of 3

| TELEPHONE NO         | FOR COURT USE ONLY                   |
|----------------------|--------------------------------------|
| (510) 465-5750       |                                      |
|                      |                                      |
|                      |                                      |
| Ref. No. or File No. |                                      |
| none                 |                                      |
|                      |                                      |
|                      |                                      |
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| <u> </u>             |                                      |
|                      |                                      |
|                      |                                      |
|                      | ,                                    |
|                      | CASE NUMBER:                         |
|                      | C 07 2497 BZ                         |
|                      | (510) 465-5750  Ref. No. or File No. |

am a citizen of the United States, over the age of 18 and not a party to the within action. My business address is 504 Redwood Blvd #223, Novato, CA 94947.

On May 16, 2007, after substituted service under section CCP 415.20(a) or 415.20(b) or FRCIV.P 4(d)(1) was made, I mailed copies of the:

Complaint for Environmental Cost Recovery and Contribution, Injunctive Relief, Declaratory Relief and Damages, Civil Cover Sheet, Summons in a Civil Case, Certification of Interested Entities or Persons; Order; Case Management Statement; Notice of Case Assignment

to the person to be served at the place where the copies were left by placing a true copy thereof enclosed in a sealed envelope, with First Class postage thereon fully prepaid, in the United States Mail at Oakland, CA, California, addressed as follows:

Mark J. Ng 2349 Lincoln Avenue Hayward, CA 94545

I am readily familiar with the firm's practice for collection and processing of documents for mailing. Under that practice, it would be deposited within the United States Postal Service, on that same day, with postage thereon fully prepaid, in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one (1) day after date of deposit for mailing in affidavit.

\$: 65.00

Fee for Service:

Monica Castaneda One Legal, Inc. 504 Redwood Blvd #223 Novato, CA 94947 I declare under penalty of perjury under the laws of the United States of America and the State of California that the foregoing is true and correct and that this declaration was executed on May 16, 2007 at Oakland, California.

Monica Castaneda